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December 14, 2001

Date of Deposit

Vincent J. Gnoffo, Reg. No. 44,714

Name of Applicant, Assignee or  
Registered Representative

Signature

December 14, 2001

Date of Signature

Our Case No.: 10781/9

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Ioannis G. Pallikaris et al.

Examiner: Not yet assigned

Serial No.: 09/911,356

Group Art Unit No.: 2873

Filing Date: July 23, 2001

For: DEVICE FOR SEPARATING THE  
EPITHELIUM LAYER FROM THE  
SURFACE OF THE CORNEA OF  
AN EYE

**FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this First Supplemental Information Disclosure Statement be entered and the documents listed below and on the attached Form PTO-1449 be considered by the

Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

The references now cited are the following:

No.	Date	Name
5,279,611	January 18, 1994	McDonnell et al.
5,492,135	February 20, 1996	DeVore et al.
5,807,381	September 15, 1998	Lieberman
<b>OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)</b>		
Ioannis G. Pallikaris, MD, Maria E. Papatzanaki, MD, Evdoxia Z. Stathi, MD, Oliver Frenschock, and Anthimos Georgiadis, PhD, <i>Laser in Situ Keratomileusis</i> , Lasers in Surgery and Medicine, Vol. 10 pgs. 463-468, 1990.		
Stephen L. Trokel, M.D., R. Srinivasan, PhD., and Bodil Baren, B.A., <i>Excimer Laser Surgery of the Cornea</i> , Vol. 96, No. 6, pgs. 710-715, 1983.		
David S. Garry, FRCS, FCOPht, Malcolm G. Kerr Muir, FRCS, FCOPht, John Marshall, PhD., <i>Photorefractive Keratectomy with an Argon Fluoride Excimer Laser: A Clinical Study</i> , Vol. 7, pgs. 420-435, November/December 1991.		

In accordance with 37 C.F.R. § 1.97(g),(h), this First Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

This First Supplemental Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with filing of this First Supplemental Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these material, the Commissioner is hereby authorized to deduct said fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

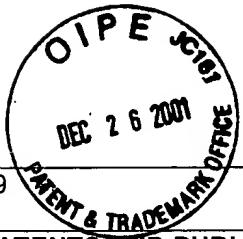
Some of the information disclosed in this First Supplemental Information Disclosure Statement was cited in a communication from a patent office in a counterpart foreign application (copy of search report enclosed).

Applicant(s) respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,

  
\_\_\_\_\_  
Vincent J. Gnoffo  
Registration No. 44,714  
Attorney for Applicant(s)

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FORM PTO-1449 <i>PATENT &amp; TRADEMARK OFFICE</i>	SERIAL NO. 09/911,356	CASE NO. 10781/9
<b>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</b>	FILING DATE July 23, 2001	GROUP ART UNIT 2873
(use several sheets if necessary)	APPLICANT(S): Ioannis G. Pallikaris et al.	

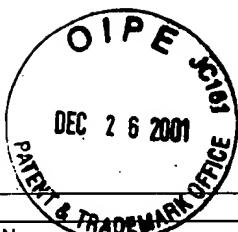
## REFERENCE DESIGNATION

## **U.S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL	OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)	
<i>JN</i>	A4	Ioannis G. Pallikaris, MD, Maria E. Papatzanaki, MD, Evdokia Z. Stathi, MD, Oliver Frenschock, and Anthimos Georgiadis, PhD, <i>Laser in Situ Keratomileusis</i> , Lasers in Surgery and Medicine, Vol. 10 pgs. 463-468, 1990.
	A5	Stephen L. Trokel, M.D., R. Srinivasan, PhD., and Bodil Baren, B.A., <i>Excimer Laser Surgery of the Cornea</i> , Vol. 96, No. 6, pgs.710-715, 1983.
<i>J</i>	A6	David S. Garry, FRCS, FCOphth, Malcolm G. Kerr Muir, FRCS, FCOphth, John Marshall, PhD., <i>Photorefractive Keratectomy with an Argon Fluoride Excimer Laser: A Clinical Study</i> , Vol. 7, pgs. 420-435, November/December 1991.

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609;  
Draw line through citation if not in conformance and not considered. Include copy of this form with next  
communication to applicant.



2873 #4

TRANSMITTAL LETTER			Case No. 10781/9
Serial No. 09/911,356	Filing Date July 23, 2001	Examiner Not yet assigned	Group Art Unit 2873
Inventor(s) Ioannis G. Pallikaris et al			
Title of Invention DEVICE FOR SEPARATING THE EPITHELIUM LAYER FROM THE SURFACE OF THE CORNEA OF AN EYE			

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is Transmittal Cover Letter (1p. Filed in Dup.); Information Disclosure Statement (3pp. Filed in Dup.); Form PTO 1449 (1p. 6 cited references); Copy of PCT search report; and PTO Reply Postcard.

- Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- A verified statement to establish small entity status under 37 CFR §§ 1.9 and 1.27 is enclosed.
- Petition for a \_\_\_\_\_ month extension of time.
- No additional fee is required.
- The fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra
Total		Minus		
Indep.		Minus		
First Presentation of Multiple Dep. Claim				

Small Entity		or	Other Than Small Entity	
Rate	Add'l Fee		Rate	Add'l Fee
x \$9 =			x \$18 =	
x 42 =			x \$84 =	
+ \$140 =			+ \$280 =	
	Total add'l fee	\$		Total add'l fee \$

- Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$ \_\_\_\_\_. A duplicate copy of this sheet is enclosed.
- A check in the amount of \$ \_\_\_\_ to cover the filing fee is enclosed.
- The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Vincent J. Gnoffo  
 Registration No. 44,714  
 Attorney for Applicant

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on December 14, 2001.

Date: Dec. 14, 2001 Signature: Vincent J. Gnoffo  
 rev. Dec.-00